

## **SUPPORTING PLANNING STATEMENT**

### **Outline Planning Permission**

### **Residential Development as Exception site in Green Belt** **Astwood Lane, Feckenham**

**3721**



In conjunction with **Alan Smith Consultancy**  
Architecture: Planning: Design

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## **1.0 Summary**

1.1 Permission is sought for residential development of this site to the south of Astwood Lane on the north side of Feckenham primarily for affordable housing. It is adjacent to the residential development at The Paddocks. There is also residential development nearby at Rock Hill Farm as well as at Yeates Acre together with established properties to the north of Astwood Lane.

1.2 The site is within The Green Belt and certain development is permissible as set out in the NPPF to which the RBC Local Plan 4 also refers.

1.3 The proposal is for twenty five dwellings

- Plots 1-7 - 2 bed affordable to rent
- Plots 8-11 - 3 bed affordable to rent
- Plots 12-14 - 4 bed low cost in perpetuity
- Plots 15-17 - 3 bed low cost in perpetuity
- Plots 18-21 - 3 bed bungalow (market)
- Plots 22-25 - 2 bed bungalow (market)

1.4 The site lies in the Green Belt, outside but near the Feckenham Village Settlement boundary. It is also outside Feckenham Conservation Area.

## **2.0 Site Description**

2.1. The site is edged red on the submitted plan and so identifies the location. The site is relatively level and comprises pasture land.

2.2 Development at The Paddocks to the west has resulted in 5 additional dwellings and there is also permission for 3 dwellings to the east (which was granted on appeal) at Rockhill Farm. Yeates Acre further to the east comprises 10 dwellings.

2.3 North of the site along Astwood Lane is the retail outlet of the outdoor equipment store Winfield and then a row of several properties, thus the village already extends beyond the settlement boundary along Astwood Lane.

### **3.0 Planning History**

3.1 A PIP application (permission in principle) 20/00850/PIP for the erection of between 5-9 dwellings was withdrawn and so not determined. The officer recommendation was to refuse as the proposal was not considered to be within an acceptable exception within the Green Belt. The current proposal is for affordable housing which may be considered an exception within the Green Belt as set out in the NPPF.

3.2 Nearby sites located as mentioned above were granted planning permission The Paddocks, Rockhill Farm and Yeates Acre.

### **4.0 Planning Policy**

4.1 The Local Plan, The Borough of Redditch Local Plan No. 4 was adopted on 30<sup>th</sup> January 2017. The site lies outside but close to the Village settlement boundary and within the Green Belt. The adopted development plan is the starting point for decisions. The most relevant local plan policies relate to the Green Belt and village boundary.



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4.2 Green Belt Policy; BORLP8 refers to the NPPF with regard to the application of Green Belt Policy,

Policy 8 says at 8.3

*8.3 Applications for development in the Green Belt will be determined in line with national planning guidance on Green Belts and other relevant policies within the development plan.*

Exceptions to the restrictions on new building in the Green Belt are set out in the NPPF at para 145.

*145. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt.*

*Exceptions to this are:*

*e) limited infilling in villages;*

*f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites);*

In this case the exception of affordable housing for community needs is considered below.

4.3 The NPPF at Para 77 also refers to rural housing;

***77. In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.***

Annex 2: Glossary NPPF sets out that market housing may be included to support the provision of an affordable homes scheme.

*Rural exception sites: Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding*

## 5.0 Local Housing Need

5.1 Policy 2 is the only reference to local needs in Local Plan 4 and this states for Feckenham ....

*development within or adjacent to the settlement boundary, as defined on the Policies Map, will provide for locally identified affordable housing and other locally identified development needs only, in accordance with the most up-to-date guidance in the National Planning Policy Framework and Parish Housing Needs Survey*

This requires development to be

- A) within or adjacent to the settlement boundary, as defined on the Policies Map and
- B) justified by local needs data

5.2 Relationship to Village boundary;

Whether the site is 'adjacent' the village boundary is a matter of interpretation as it does not directly abut the village settlement boundary as the development Feckenham Gardens lies between the site and that boundary. However, 'adjacent' has various meanings and can mean,

*Collins -being near or close, esp having a common boundary; adjoining*

But adjacent can also be used as near or close to but not necessarily touching,

*adjacent is next to or nearby*

A recent High court case concerned 'immediately adjoining' but also mentioned 'adjacent'

*R on the Application of Corbett v The Cornwall Council. Case Number: [CO/1039/2020](#)*

She noted that the full online Oxford English Dictionary makes no distinction between the meaning of "adjoining" and "adjacent". The definition of the latter word includes "next to or very near something else". Corbett's interpretation of policy 3 was, on that basis, too narrow and literal.

Dismissing his challenge, however, Mrs Justice Jefford ruled that the phrase "immediately adjoining" must be given a "sensible meaning", which includes "next to" and "very near". The decision that the site fell within that definition represented a reasonable exercise of planning judgment.

This indicates that the site does not need to touch the settlement boundary it can be 'near'.

### 5.3 Local needs;

Information from the applicant identifies that at least 8 individuals/families are on the Council waiting list for properties in Feckenham. The relevant forms have been sent direct to the Housing Department and are not attached due to confidentiality and GPDR.

Some Market housing is proposed to fund the affordable units as can be included in rural exception sites as per the NPPF glossary definition which allows for the inclusion of some market units.

*'A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding'*

A S106 is anticipated to cover aspects of tenure.

### 5.4 Decisions on 'Exception Sites';

The benefit of allowing sites for affordable housing in the Green Belt is demonstrated by a recent appeal;

**Appeal Ref: APP/C2741/W/19/3227359**

**North of Boroughbridge Road, South of Millfield Lane, York YO26 6QB**

*42. The proposal would be inappropriate development in the Green Belt and would result in considerable harm to openness. In accordance with national policy this harm carries substantial weight against the proposal.*

*43. I have found that the proposal would not result in harm to the five purposes of the Green Belt. I have also concluded that there would be no other material harm. As such these are neutral factors that weigh neither for nor against the development.*

*44. In terms of matters weighing in support of the appeal, I have determined that the site does not serve any Green Belt purposes and therefore does not need to be kept permanently open for Green Belt reasons. Furthermore, the provision of 266 market and affordable homes, to be delivered in the short to medium term, is a significant favourable factor. These elements weigh significantly in support of the proposal.*

The delivery of affordable homes (with some market units) is a positive factor.

### 5.5 **5 year land supply:**

Redditch Borough Council in its latest update on land supply states ***The 5 year housing land supply calculation indicates that at 1 April 2020, Redditch Borough Council can demonstrate 3.24 years of deliverable housing land supply for the period 1 April 2020 to 31 March 2025.***

Paragraph 11 of the Framework states that where relevant policies are out of date, permission should be granted, unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.

The proposal would provide much needed housing and would therefore make a contribution to the provision of housing and assist the Council to achieve its targets.

## **6.0 Sustainability**

6.1 This is not an isolated location in the sense of physical isolation.

However, it is acknowledged that public transport is limited but the NPPF accepts that in rural areas there is less likely to be public transport.

## 7.0 Other matters

### 7.1 Flood Risk



Extent of flooding from rivers or the sea

● [High](#) ● [Medium](#) ● [Low](#) ● [Very low](#)

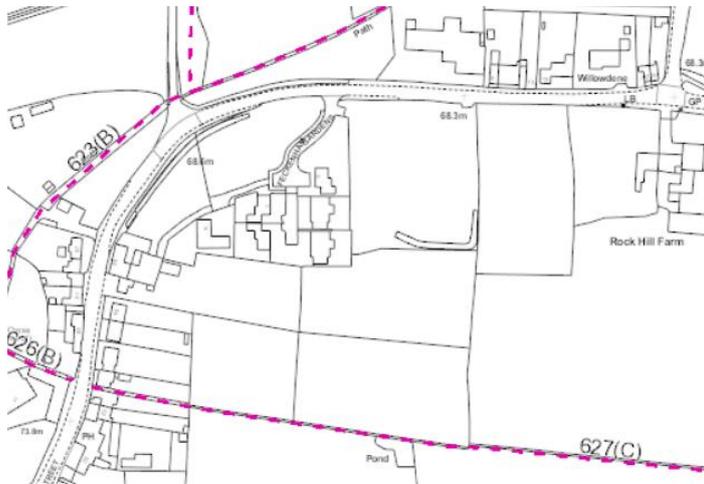


Extent of flooding from surface water

● [High](#) ● [Medium](#) ● [Low](#) ○ [Very low](#)

## 7.2 PROW

None affect the site



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## 7.3 Trees and Ecology

An ecological report is submitted separately.

## 8.0 **CONCLUSION**

8.1 Green Belt NPPF policies apply to new development as set out in BORLP4 and the site is proposed as a rural exception site which would be appropriate development in the Green Belt.

8.2 As RBC does not have a 5 year land supply this site would contribute to the shortfall in housing provision.